

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

ORIGINAL

In the Matter of

Amendment of Section 73.202(b)
Table of Allotments
FM Broadcast Stations
Llano and Marble Falls, Texas

) MM Docket No. 95-49
)
)
) RM-
)
)

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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**MOTION TO
WITHDRAW COUNTERPROPOSAL**

On June 22, 1995, Roy E. Henderson ("Henderson"), by his counsel, filed Comments and Counterproposal in response to a Notice of Proposed Rulemaking in this Docket issued May 1, 1995 (DA 95-884) which proposed deletion of channel 284C3 in Llano and its reassignment as channel 285C3 in Marble Falls, Texas. At that time, Henderson offered a counterproposal to reallocate channel 285A- from Rosenberg, Texas, to 285A+ in Katy, Texas; and to reallocate channel 285A- from LaGrange, Texas to 285A+ in Smithville, Texas.

Since that time, the Commission has published a Further Notice of Proposed Rulemaking in this Docket (DA 96-1198 released August 2, 1996) relative to a new proposal to allot channel 242A

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at LLano, Texas, and soliciting comments and counterproposals to that allocation.

Henderson has determined that a counterproposal to the LLano allotment would best serve the public interest in the form of increased FM service and is proceeding this date to file a new Counterproposal in this Docket directed to the Llano allotment. In view thereof, Henderson is hereby requesting that his above-referenced counterproposal, filed in response to the Marble Falls allotment on June 22, 1995, be withdrawn and dismissed. No consideration was paid or received in connection with this withdrawal and the required Declaration of No Consideration is attached hereto.

Wherefore, it is respectfully requested that the Comments and Counterproposal of Roy E. Henderson as filed in this Docket on June 22, 1995 in response to the Marble Falls allotment in NPR DA 95-884 be withdrawn and dismissed.

Respectfully submitted,

ROY E. HENDERSON

by


Robert J. Buenzle

His Attorney

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September 23, 1996

DECLARATION OF NO CONSIDERATION

Roy E. Henderson, under penalty of perjury, hereby declares and states that he has received no consideration, neither promised nor paid; nor paid or promised to pay any consideration in connection with the withdrawal of the Counterproposal filed in MM Docket 95-49 on June 22, 1995 as described in the attached "Motion to Withdraw Counterproposal"

Executed this 19th day of September, 1996:



Roy E. Henderson

CERTIFICATE OF SERVICE

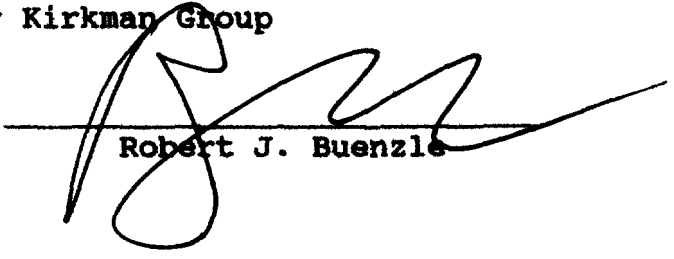
I hereby certify that copies of the foregoing MOTION TO
WITHDRAW COUNTERPROPOSAL have been served by United States mail,
postage prepaid this 23rd day of September, 1996 upon the
following:

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